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P/4976-35

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jean-Marie GODOT et al.

Date: October 26, 2009

Serial No.: 10/587,802

Group Art Unit: 1617

Filed: October 10, 2006

Examiner: Pihonak, S.

For: FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYL BENZAMIDE DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING THE TRANSPORT OF ELECTRONS OF THE RESPIRATORY CHAIN IN PHYTOPATHOGENIC FUNGAL ORGANISMS

AMENDMENT AND RESPONSE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the Office Action mailed August 24, 2009, for the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

No additional fee is required for claims.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed, or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

**Application Number 10/587,802
AMENDMENT of October 26, 2009
Response to Office Action of August 24, 2009**

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period has elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks/Arguments begin on page 9 of this paper.